

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEBORAH FRAME-WILSON and
CHRISTIAN SABOL, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 2:20-cv-00424-RAJ

STIPULATION AND ORDER
(1) EXTENDING TIME TO
RESPOND TO SECOND
AMENDED COMPLAINT AND
(2) ESTABLISHING SCHEDULE
FOR MOTION TO DISMISS

The parties, by and through their counsel, stipulate and agree as follows:

1. Plaintiffs filed this lawsuit on March 19, 2020, and served Amazon.com, Inc. (“Amazon”) with the Summons and Complaint on March 24, 2020.

2. On July 13, 2020, pursuant to an agreement of the parties extending the time for Amazon to answer or otherwise respond [Dkt. 5], Amazon filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) [Dkt. 11]. Plaintiffs then filed a First Amended Class Action Complaint on August 3, 2020 (“FAC”) [Dkt. 15] pursuant to Fed. R. Civ. P. 15(a)(1)(B), and Amazon thereafter filed a motion to dismiss the FAC on September 2, 2020 [Dkt. 18]. The parties completed briefing on that motion to dismiss on November 2, 2020. [Dkt. 29.]

3. On March 11, 2022, the Court entered its Order granting in part and denying in part Amazon’s motion to dismiss. [Dkt. 48.] The Court allowed Plaintiffs to file another amended complaint “addressing the deficiencies identified herein within thirty (30) days of the entry of this Order.” *Id.* at 26.

4. On April 11, 2022, pursuant to the Court's Order, Plaintiffs filed a Second Amended Class Action Complaint ("SAC") in which they have re-pled certain claims dismissed by the Court and added a new claim for "Conspiracy to Monopolize." [Dkt. 55.] Under Fed. R. Civ. P. 15(a)(3), "unless the court orders otherwise, any required response to an amended pleading must be made within the time remaining to respond to the original pleading or within 14 days after service of the amended pleading." As a result, absent order of Court, Amazon's response to the SAC is due on or before April 25, 2022.

5. The parties have agreed, subject to the Court's approval, that Amazon may have thirty-five (35) days to file its motion to dismiss the SAC, i.e., an extension of twenty-one (21) days, and have agreed to a briefing schedule on that motion as follows:

Motion to Dismiss Due: May 16, 2022

Opposition to Motion Due: June 20, 2022

Reply in Support of Motion Due: July 20, 2022

Pursuant to this agreement, and subject to the Court's approval, the noting date for Amazon's motion to dismiss will be the first Friday following the completion of briefing, i.e., July 22, 2022.

IT IS SO STIPULATED.

DATED this 15th day of April 2022.

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ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED this 18th day of April, 2022.



The Honorable Richard A. Jones
United States District Judge